

Texas Military Forces Testimony for the US House of Representatives, One Hundred Ninth Congress
Committee on Homeland Security, Subcommittee on Investigations
“Criminal Activity and Violence along the Southern Border”

Purpose and scope: Provide an overview of the Texas Military Forces Joint Counterdrug Task Force (JCDTF) and demonstrate adaptability of Counter Drug resources to Homeland Security (HLS).

1. The mission of the JCDTF is to provide highly trained and experienced military personnel and equipment to support the Law Enforcement Interagency effort as well as community organizations to reduce supply and demand of and for illegal drugs. The JCDTF currently consists of 148 Army National Guard soldiers and 75 Air National Guard airmen on full time National Guard Duty active duty status and seven Air National Guard *Active Guard Reserve* (AGR) officers, all serving pursuant to 32 USC, under the Command and Control of the Governor and Adjutant General of Texas, Major General Charles G. Rodriguez. These personnel additionally serve in drilling/reserve status in their military occupations while also in support to Law Enforcement Agencies (LEAs) and Community Based Organizations (CBOs).

a. The Texas National Guard provides CD support to the Texas Department of Public Safety, U.S. Drug Enforcement Administration, U.S. Postal Service, DHS-CBP/ICE, the Federal Bureau of Investigation, the Internal Revenue Service, other Federal and State drug law enforcement forces, interagency Task Forces, County Sheriff's Offices, and local police departments throughout Texas. We are a broad interagency support Task Force detailed in an annual State Plan approved by the Adjutant General, State Attorney General and Governor. Activities can be categorized into three major functional areas: Supply Reduction, Demand Reduction, and oversight of the National Guard Substance Abuse testing program. The commander of Counterdrug also maintains oversight of the *Texas STARBASE* and *ChalleNGe* programs and is appointed by the Governor as Texas' Law Enforcement Support Office (LESO) Coordinator to transfer surplus federal equipment to State and local agencies. Specific program mission categories include support to CBOs and educational institutions, youth leadership development, coalition development and support, information dissemination, investigative case support, intelligence analysis, linguist support, photo development and interpretation, aviation and ground reconnaissance, and marijuana eradication. All of these programs are funded by a Fiscal Year 2006 (FY06) budget of approximately 17.0 million dollars with the exception of the separately Federal and State funded *ChalleNGe* and *STARBASE* programs in Galveston and Houston, TX.

b. The mission of the Drug Demand Reduction (DDR) program is to organize and/or expand community efforts to form coordinated and complementary systems that reduce substance abuse in Texas. In FY05, TX-CD reached more than 50,000 people in Texas with a drug prevention message. Over 95% of these individuals are teenagers.

c. Supply reduction activities consists of a variety of CD missions in direct support of local, State, and Federal law enforcement throughout Texas. Providing unique military-oriented skills, the program is clearly a force-multiplier for LEAs. The types of support provided are diverse, focusing primarily on investigative and interdiction efforts. For FY05, the JCDTF was involved in locating and seizing 1,277 marijuana plants, 1,610,731 pounds of processed marijuana, 138,672 pounds of cocaine and 313 pounds of methamphetamine, 32,627 doses of ecstasy and other drugs for a total street value of \$934,222,550.00. To date in FY06, the JCDTF has been involved in locating and seizing 20 marijuana plants, 198,245 pounds of processed marijuana, 84,171 pounds of cocaine, 269 pounds of methamphetamine, 5,862 doses of ecstasy and other drugs for a total street value of \$716,149,451.00

(1) Investigative support is provided in several different categories and helps tie Federal, State, and local agencies together by a network of Guardsmen spanning the interagency effort. Case support primarily focuses on file documentation and management, while LEA tasked and supervised Guard intelligence analysts employ advanced analytical skills to provide the interagency effort with tactical interdiction and investigative options.

d. As part of its supply reduction efforts, surface and air reconnaissance/observation draws on unique military skills and equipment that various LEAs do not possess. Highly trained personnel and aviators monitor activities in remote drug corridors to include the Border. Rotorcraft and fixed wing aircraft with thermal imaging equipment, night vision devices, and high-tech communications equipment operate to provide invaluable information and support to LEAs.

(1) The JCDTF operates four TXARNG OH-58 helicopters as part of its Counter Drug Aviation Element (CDAE). These aerial reconnaissance helicopters are equipped with an infrared thermal imaging system, a daylight TV camera, a law enforcement compatible Wulfsburg radio, and a Global Positioning System. After dark, they can be flown using Night Vision Goggles as well as a 30 million candlepower Nitesun. Additionally, they possess a video downlink capability.

(2) The JCDTF tasks one ANG Fairchild RC-26 reconnaissance aircraft assigned to the 147FW, Houston, TX. Capabilities of this aircraft include a color TV imager with up to 900mm zoom and a state of the art thermal imaging system with remarkable clarity. Reconnaissance accuracy is significantly enhanced by the RC-26's moving map display and high-resolution digital and color photo capability. The aircraft can stay airborne for several hours at a time and is ideally suited for aerial detection and monitoring. The radio communications suite includes secure voice Global Wulfsburg and 800Mhz capabilities. In times of National emergency, Counterdrug Aviation Element (CDAE) (OH-58) and RC-26 aircraft provide critical command, control and coordination to law enforcement and rescue/recovery operations, such as during the February 2003 Shuttle Columbia accident and the September, 2005 Hurricane Katrina search and rescue operation.

(3) The Special Observation Detachment (SOD) conducts low visibility observation and reconnaissance of Named Areas of Interest (NAIs) in support of Federal, State and local CD operations. (SOD) provides initial mission planning and coordination, command and

control, field operators, and support personnel. (SOD) can deploy a single operator, a small element, or the entire detachment in support of the approved request. These personnel can be available within 2 hours of the request for deployment anywhere in the state of Texas to provide discreet photo, video, microwave and thermal imagery while establishing its own short range, secure voice VHF communications net that quickly adapts to interface with law enforcement VHF nets. (SOD) also trains LEAs in military skills critical to CD operations extremely applicable to Homeland Security.

e. The Program also provides oversight for National Guard substance abuse testing as part of the Internal Substance Abuse Prevention Program in Texas which consists of over 20,000 soldiers and airmen. The Counterdrug Commander manages the substance abuse program for the Texas Army and Air National Guard. The substance abuse staff assigned to the program provides administrative and logistical support to units while overseeing the execution of individual drug testing programs. Counterdrug personnel also provide qualification training and expertise to drug testing personnel at the unit level.

f. The Texas Counterdrug President's Budget (PB) for FY06 is \$16.4 million. This budget is disbursed from federal funding supporting all of the program's supply and demand reduction activities to include 100% of the 223 service members' salaries. Every year the National Guard Bureau disburses a Congressional supplemental at their discretion. In the past, Texas has received a 10% budget increase; this year Texas only received a 5% increase to the budget.

2. Considerations for Future JCDTF Application: This year the JCDTF was heavily depended upon to leverage the initiation of the Operation Jump Start (OJS) mission although funding was required to be kept separate. National Guard Bureau Legal Counsel determined Operation Jump Start was not sufficiently related to narcotics, thus, for fiscal law reasons, the two missions must be kept separate. In years past the JCDTF has supported the Border Patrol under a clear drug nexus along the Southwest Border. The "by-product" of CD support involved deterring illegal immigration and facilitating counter-terrorism. Historical mission requests show that prior to OJS, legal concerns were not emphasized that detoured Counterdrug resources from supporting non-CD illegal activities as long as original intent was CD focus. The OJS mission, though separately funded, is already being partially measured according to volume of additional illicit drug traffic seized. The National Guard's current support of OJS is significantly multiplying the effectiveness of USCBP and other law enforcement agencies along the southern border with Mexico.

a. In closing, based on seventeen years of JCDTF experience several key factors are evident: 1) the capabilities brought through operational daily National Guard activity support roles to LEAs; 2) unique military skill sets and technology provided to LEAs that otherwise would not be available; 3) and the continually developing and evolving unique Counterdrug domestic military adaptability built through a daily, operational active duty synergistic support with the Interagency effort has matured the Joint Army and Air National Guard Counterdrug mission into a premiere interagency planning, coordination and executing support capability. Strictly defining JCDTF's mission capability according to funding restrictions limits Homeland Security, stalls the flexibility of funding necessary to

keep the mission continually adaptable, and creates unnecessary legal impediments to commit proven capabilities to requirements (broader yet related somewhat to CD) that are critical during time-sensitive scenarios. The Counterdrug mission can remain the Counterdrug mission while adapting through increased authority and further incremental funding for its law enforcement support role, to provide Homeland Security through 1) Counterdrug, 2) Counter-Terrorism and 3) Other assigned civil-military security measures under local, State and Federal tasking modeled after the highly successful CD mission. So that one agency is not prioritized over another, percentages might be assigned to support the various Interagency partners who have come to depend on Counterdrug capabilities according to what they are capable of doing. Today, *Counterdrug* is a funding statement and not a capability. It is now time to broaden explicitly the allowable use of Counterdrug personnel and resources for employment broadly against fast evolving threats to our homeland brought on by adverse natural conditions and sinister enemies, none who are bound by self imposed funding application. The JCDTF capability should be re-titled as National Guard Support to Homeland Defense and Security.

Purpose and scope: Provide an overview of the Texas Military Forces Joint Task Force Texas Border Support (JTFTX-BS) support to the United States Border Patrol.

1. The mission of the JTFTX-BS is to provide highly trained and experienced military personnel and equipment to support the United States Border Patrol in five sectors along the Southwestern Border of Texas. The five sectors are Rio Grande Valley, Del Rio, Laredo, Marfa, and El Paso. Within the five sectors are forty-three locations where the Texas Military Forces are providing support to Border Patrol, but are not engaged in direct law enforcement duties. The JTFTX-BS currently consists of approximately 1,500 Army National Guard soldiers and Air National Guard airmen on full-time National Guard duty status all serving pursuant to 32 USC, under the Command and Control of the Governor and Adjutant General of Texas, Major General G. Charles Rodriguez.
2. JTFTX-BS provides assistance to the Border Patrol in the following missions: Clerical / Administrative, Law Enforcement Communications Assistant (Dispatcher), Welder, Fleet Porter, Control Room Operator, Mechanics, Supply NCO, Light Set Servicing, Electronic/Technical Support, Camera Operator, Sensor Support, Scope Truck, Sky Box / Sky Watch Tower Operators, Security, Range Safety Officer / Armorer, Engineering, Checkpoint Support, Criminal Analysis, Information Analyst, and Entry Identification Team.
3. JTFTX-BS support to law enforcement has resulted in 165 United States Border Patrol agents being returned to duty outside station headquarters.
4. With regards to the deployment of soldiers in assistance to U.S. Border Patrol, apprehensions of Undocumented Aliens are down in each of the five Border Patrol Sectors compared to the same time in 2005 and 2004. There has been a considerable increase in the seizures of narcotics in both the Rio Grande Valley and El Paso sectors, as measured and reported by USCBP.

5. Each BP Sector is reporting a noticeable increase in the effectiveness of their wheeled vehicle garages. Sectors are reporting they are receiving vehicles repaired and back in the field anywhere from 35% to 50% more quickly since the arrival of the Texas National Guard in their sectors.

6. JTFTX-BS also is supporting the U.S. Border Patrol with aviation and engineer support based on requests from the Border Patrol Chief within each of the five sectors in Texas.

In closing the Texas Military Forces are having a positive effect on the security of the Southwest Border of Texas. The relationship between Texas National Guardsmen with the United States Border Patrol has been excellent.